REMARKS

In view of the above amendments and the following remarks, reconsideration of the objections and rejections, and further examination are requested.

Initially, the Applicants wish to thank Examiners Jacob and Pham for conducting a telephone interview on May 29, 2008. During the interview, the applied art and arguments distinguishing the claims over the applied prior art were discussed. Alternative claim language was also discussed; however, the Examiner's indicated that a decision would not be made regarding patentability without further search and/or consideration.

Claims 1-14 are pending in this application and stand rejected. Claims 1, 7 and 8 are amended herein. No new matter has been added.

Claims 1-8 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Hattori et al. (U.S. Patent Application Publication No. 2002/0065693) (hereinafter referred to as "Hattori").

With exemplary reference to the figures, claim 1 sets forth an information processing apparatus comprising a processor and an information notification apparatus 100, and is embodied in one of a portable generic computer, a Personal Digital Assistant and a cellular phone. The information notification apparatus 100 comprises a rule holding unit 102, 103 operable to hold (a) an information notification rule which is generated based on information concerning a preference of a specific user, the rule defining that predetermined information should be notified to a specific user in the case where the specific user satisfies a predetermined condition, and (b) an information notification rule which is generated based on information concerning a preference of another user. Moreover, the processing apparatus of claim 1 includes an information notification unit 105, 107 operable to notify the specific user of predetermined information which needs to be notified to the other user, in the case where a condition which is defined by the information notification rule concerning the other user is satisfied by the specific user. Furthermore, the processing apparatus of claim 1 includes a behavior determination unit 108 operable to determine whether or not the specific user who received the notified information has behaved in a manner indicated in the notified information, based on one of an input received from the specific user and data related to the notified information, such that, when the specific user who received the notified information does not behave in the manner indicated in the

notified information, a notification occurs that includes a message positively asserting that the specific user who received the notified information did not behave in the manner indicated in the notified information.

Thus, claim 1 requires a behavior determination unit 108 operable to determine whether or not the specific user who received the notified information has behaved in a manner indicated in the notified information, based on one of an input received from the specific user and data related to the notified information, such that, when the specific user who received the notified information does not behave in the manner indicated in the notified information, a notification occurs that includes a message positively asserting that the specific user who received the notified information did not behave in the manner indicated in the notified information. According to a preferred embodiment of the invention, this positive assertion is in the form of a text statement such as "I have just bought milk" or "I have just bought a CD," as described in lines 11 and 12 on page 22 of the specification.

Hattori discloses a scheme for promoting purchases by utilizing characteristics of a computer network such as its ability to cover a wide area and support bidirectional communications. Specifically, Hattori discloses an agent service system Y for providing basic functions. Software is disclosed that functions as an agent, and determines at least a user location and a current state (location) of the user. A user registers basic personal information after subscribing to a service provided by the agent. The personal information contains types of goods of interest, an e-mail address or a telephone number of a portable telephone terminal with internet access used by the user. When moving outdoors with the portable phone, location information of the terminal is constantly provided to a location information service unit D3 by a location management function of a portable telephone infrastructure unit D2. When there is a change in the user's state, corresponding user information is sent to the user.

A purchase memo including a list of goods to be purchased is electronically stored information created by the user, and is for facilitating the purchase of goods, for example, via a network such that it can be viewed at any desired location. The purchase memo can be produced in a text file or other format and stored in a network server such that it can be viewed anytime, anywhere. Thus, the purchase memo is freely accessible from a plurality of terminals including a PDA, a

portable telephone and a PC. A user management unit Y1 updates at least one of the purchase log and the electronic goods information of each user by obtaining information on goods actually purchased by each user from a point of service (POS) register C.

In one embodiment of Hattori, a user walking outside may suddenly receive a message (e-mail) from the agent at the portable telephone. In the e-mail, the user can view a message for urging the purchase such as "You sure you are not forgetting to buy something?" or "You can buy goods on your purchase memo at a nearby convenience store." The user may also view the purchase memo. When the user clicks on the URL (contained in the e-mail) labeled "Recommended goods from the convenience store", the user can view a WWW page showing the recommended goods information provided from a goods information system A. The user who enters a convenience store upon seeing the notification (e-mail message) can utilize the shop's information terminal B. When user authentication is carried out, a menu specifically intended for the user is displayed on the information terminal's screen. The user selects some goods in the convenience store and proceeds to the calculation at a POS register C, and the purchased goods are deleted from the purchase memo information.

In another embodiment of Hattori, if a user remembers while at the office that he needs to buy milk on the way home, he can call-up the agent on his own PC and add "milk" to the purchase memo. The user can then view the purchase memo at the portable telephone terminal D1 or the shop's information terminal B while going home, or the user can receive the notification (e-mail message) via the portable phone terminal D1 when the user is near a convenience store or supermarket, so that it is possible to prevent the user from forgetting to buy milk. Moreover, in this embodiment, while a husband is at work, a wife at home can add an item such as soy sauce to the purchase memo, such that the husband will also purchase the soy sauce on the way home.

In yet another embodiment of Hattori, the purchase memo information of a plurality of users is shared, such that it is possible to avoid the failure to buy something or to have more than one person buy the same thing. For example, if milk is to be purchased in a family where the husband and wife both work, when either the husband or wife arrive at the convenience store they are able to check the shared purchase memo to determine whether the milk was already purchased by the other spouse. Specifically, if the husband arrives at the convenience store before the wife, then the

purchase memo will still contain the item "milk". However, if the wife arrives at the store before the husband and purchases the milk, then when the husband arrives at the store, "milk" has already been deleted from the purchase memo. Thus, it is possible for the husband to easily and accurately comprehend whether milk should be purchased without confirming the need by calling the wife using a telephone.

However, in contrast to the present invention, Hattori does not disclose configuring the service system Y such that when a purchase does not occur, a notification occurs that includes a message positively asserting that the specific user who received the notified information did not behave in the manner indicated in the notified information. Instead, Hattori discloses using a notification in concert with a purchase memo to urge users to make purchases. Moreover, Hattori discloses using a notification designed to prompt a user to consult a purchase memo, and then to purchase items in the purchase memo. Upon purchase, items are deleted from the purchase memo. When a purchase is not made, no action is taken.

During the May 29 interview, it was argued that Hattori does not disclose "the notified information" and the "notification occurs," as recited in claim 1. During the interview and in the Office Action, the Examiners asserted that paragraph 173 of Hattori discloses a unit operable to determine whether the specific user who received the notification (e-mail message) has behaved in a manner indicated in the notification based on an input received from and entered by a specific user, such that when the specific user who received the notification does not behave in the manner indicated in the notification, a notification occurs. However, the process described in paragraph 173 of Hattori does not disclose that when a purchase does not occur, a notification occurs that includes a message positively asserting the behavior of the user. Instead, paragraph 173 indicates that goods information obtained according to information regarding purchases of a user are notified to the user at appropriate times based on a user's location, without requiring the user to access the information.

Moreover, there is no disclosure or suggestion in Hattori to provide a notification, when a purchase is not made, that includes a message positively asserting the behavior of the user. In other words, Hattori does not disclose a behavior determination unit operable to determine whether or not a specific user who received notified information has behaved in a manner

indicated in the notified information, based on one of an input received from the specific user and data related to the notified information, such that, when the specific user who received the notified information does not behave in the manner indicated in the notified information, a notification occurs including a message positively asserting that the specific user who received the notified information did not behave in the manner indicated in the notified information, as recited in claim 1.

Regarding claim 7, it is submitted that claim 7 is patentable over Hattori for reasons similar to those set forth above in support of claim 1. That is, claim 7 recites an information notification method including, in part, determining whether or not a specific user who received notified information has behaved in a manner indicated in the notified information, based on one of an input received from the specific user and data related to the notified information, such that, when the specific user who received the notified information does not behave in the manner indicated in the notified information, a notification occurs including a message positively asserting that the specific user who received the notified information did not behave in the manner indicated in the notified information.

Regarding claim 8, it is submitted that claim 8 is patentable over Hattori for reasons similar to those set forth above in support of claim 1. That is, claim 8 recites a computer program recorded on a computer-readable recording medium for causing a computer to execute steps, including, in part, determining whether or not a specific user who received notified information has behaved in a manner indicated in the notified information, based on one of an input received from the specific user and data related to the notification information, such that, when the specific user who received the notified information does not behave in the manner indicated in the notified information, a notification occurs including a message positively asserting that the specific user who received the notified information did not behave in the manner indicated in the notified information.

For the above reasons, it is believed clear that claims 1, 7 and 8 are not anticipated by Hattori. Furthermore, it is submitted that there is no teaching or suggestion in Hattori that would have caused an ordinary artisan to modify the prior art of record in such a manner as to result in, or otherwise render obvious, the invention of claims 1, 7 and 8.

Claims 10 and 11 depend from claim 1 and are further patentable on their own merits.

Claim 10 requires that the information notification unit is operable to notify the information to another user in a group to which the specific user belongs when the behavior determination unit has judged that the specific user who received the notified information did not behave in the manner indicated in the notified information.

In contrast to claim 10, Hattori does not disclose sharing the notified information with another user after judging that a specific user did not behave in a manner indicated in the notified information. Instead, as discussed above, Hattori discloses sharing a purchase memo list with other users to avoid more than one person buying the same thing. Moreover, there is no disclosure or suggestion to modify Hattori to share the purchase memo list after the behavior of a specific user is determined. In other words, Hattori does not disclose an information notification unit that is operable to notify the information to another user in the group to which the specific user belongs when the behavior determination unit has judged that the specific user who received the notified information did not behave in the manner indicated in the notified information, as recited in claim 10.

For at least the reasons discussed above, it is believed clear that Hattori fails to disclose or suggest the present invention as recited in claim 10.

Claim 11 requires that the information notification unit is operable to notify the information to the other user who defined the information notification rule when the behavior determination unit has judged that the specific user who received the notified information did not behave in the manner indicated in the notified information.

In contrast to claim 11, Hattori does not disclose sharing the notified information with the other user who defined an information notification rules after judging that a specific user did not behave in a manner indicated in the notified information. Instead, as discussed above, Hattori discloses sharing a purchase memo list with other users to avoid more than one person buying the same thing. Moreover, there is no disclosure or suggestion to modify Hattori to share the purchase memo list after the behavior of a specific user is determined. In other words, Hattori does not disclose an information notification unit that is operable to notify the information to the other user who defined the information notification rule when the behavior determination unit

has judged that the specific user who received the notified information did not behave in the manner indicated in the notified information, as recited in claim 11.

For at least the reasons discussed above, it is believed clear that Hattori fails to disclose or suggest the present invention as recited in claim 11.

Because of the above-mentioned distinctions, it is believed clear that claim 1, and claims 2-5 and 9-14 depending therefrom, and claims 7 and 8 are patentable over the reference relied upon in the rejections. Therefore, it is submitted that claims 1-5 and 7-14 are clearly allowable over the prior art of record.

In view of the foregoing amendments and remarks, all of the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action are respectfully solicited.

Should the Examiner believe there are any remaining issues that must be resolved before this application can be passed to issue, it is respectfully requested that the Examiner contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

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